

**MINUTES****ALABAMA STATE BAR  
BOARD OF BAR COMMISSIONERS MEETING****State Bar Building  
415 Dexter Avenue  
Montgomery, Alabama 36104****Friday, October 27, 2023****1. CALL TO ORDER**

President Brannon Buck convened this meeting of the Alabama State Bar Board of Commissioners at 10:00 a.m. in the board room of the Alabama State Bar building, Montgomery, Alabama. Commissioner Jeff Bowling led the members in the Pledge of Allegiance.

**2. ROLL CALL**

The secretary took the roll of the Commission and the following commissioners were present:

Conrad Anderson  
Raymond Bell  
Jeff Bowling  
Clay Carr  
Hunter Compton  
Brad Cornett  
Richard Fikes  
Scott Foster  
Lisha Graham  
Fed Helmsing  
Carmen Howell  
Edwin Lamberth  
Felicia Long  
Clay Martin  
Clint Maze  
Leslie Moore  
Andrew Nix  
Tom Perry  
John Rea  
Feddy Rubio  
Pat Sefton  
Jason Simmons

Pratt Austin-Trucks  
Mark Boardman  
Kitty Brown  
Matthew Carter  
Joel Connelly  
Mark Debro  
Lang Floyd  
Jana Garner  
Josh Hayes  
Ralph Holt  
Mitch Kemmer  
Bill Lancaster  
Don Mansell  
David Martin  
Bob McMillan  
Steven Nicholas  
Manish Patel  
Bobby Poundstone  
Ryan Robichaux  
Holly Sawyer  
Tyler Sims  
Elizabeth Smithart

John Smyth  
 Jerome Thompson  
 Gibson Vance  
 Robin Wolfe

Jimbo Terrell  
 Jeff Utsey  
 Leila Watson

The following commissioners were absent:

Edgar Black  
 Will Broome  
 Deborah Dunsmore  
 Kirk Garrett  
 Leon Hampton  
 Scott Holmes  
 Lee Knowles  
 Jorja Loftin  
 LaBella McCallum  
 Chuck Price  
 Steven Savarese  
 Doug Smith  
 John Stamps  
 Brian Strength

Sally Bowers  
 Chris Driver  
 Sam Ford  
 Dana Grimes  
 Erik Heninger  
 Angela Kennedy  
 David Langston  
 Doug Martinson  
 Lynn Perry  
 Chrissy Riddle  
 Jeff Sherrer  
 Kyra Sparks  
 Andrew Stanley  
 Suntrease Williams-Maynard

*QUORUM PRESENT*

Staff members in attendance included: Roman Shaul, Chad Coker, Merinda Hall, Melissa Warnke, Olivia Walker, Chris Colee, Linda Lund, Autumn Caudell, Karen Laneaux, Suzi Huffaker, and Michelle Shaw.

**3. APPROVAL OF AGENDA**

President Buck asked for approval of the agenda.

COMMISSIONER CLINT MAZE MOVED TO AMEND THE AGENDA TO REMOVE APPOINTMENTS TO THE ALABAMA SECURITIES COMMISSION, SECONDED BY PRATT AUSTIN-TRUCKS, AND APPROVED BY UNANIMOUS VOICE VOTE.

COMMISSIONER KITTY BROWN MOVED TO APPROVE THE AMENDED AGENDA, SECONDED BY MARK DEBRO, AND APPROVED BY UNANIMOUS VOICE VOTE.

**4. INTRODUCTION OF GUESTS**

President Buck included Associate Justice Will Sellers, Associate Justice Sarah Stewart, Eileen Harris, Director of the Supreme Court Commission on Dispute Resolution. President-Elect Tom Perry, and law students from Jones School of Law:

Jessica Holten and Kijana Mitchell; Cumberland School of Law: Rolanda Turner; the University of Alabama School of Law: Noah Harrelson; and Birmingham School of Law: Trynatera Foster.

**5. APPROVAL OF MINUTES FROM SEPTEMBER 8, 2023, MEETING**

President Buck stated that the minutes of the September 8, 2023, Board Meeting had been transcribed and circulated prior to the meeting. He asked if there were any corrections, additions, or deletions. No changes were made.

COMMISSIONER JOEL CONNALLY MADE MOTION TO APPROVE MINUTES FROM SEPTEMBER 8, 2023, SECONDED BY CONRAD ANDERSON, AND APPROVED BY UNANIMOUS VOICE VOTE.

**6. PRESIDENT'S REPORT**

President Buck highlighted Pro Bono Month that included the participation of over 1000 lawyers in activities this month. He shared that many lawyers were afforded opportunities to be trained to offer pro bono services. There were eight clinics held with included serving 31 clients at an expungement clinic, and 35 clients at a wills for seniors clinic. He informed the Board that the Young Lawyers, Real Property, and the Solo and Small Firm sections have been actively working through the Free Legal Answers which is providing a great service for the public.

President Buck indicated the Bar participated in the Opening of Courts celebration earlier in the month and was provided an opportunity to attend the Red Mass Ceremony held in Montgomery. President Buck stated he was honored to deliver a message to the honored families on behalf of the Bar as the Court and Bar worked collectively on this event.

President Buck said he participated in a joint CLE with the Montgomery County Bar and the Federal Bar Association. He reminded the Commission that the Admissions Ceremony had recently been conducted and President Buck thanked the staff, the Supreme Court Clerk's office, and the Young Lawyers Section for coordinating the event. He said there were over 450 new admittees recognized at the ceremony. He shared a picture of Board member Doug Martinson, II with his recent admittee son, Doug Martinson, III, and congratulated Doug on adding a new lawyer to the family.

President Buck then brought the Board's attention back to the strategic plan. He reminded the Board of a few things the Bar is working on within the four goals. Buck thanked the Board for approving the plan and reminded them that the staff and leadership are cognizant of the plan while tailoring the operations of the bar to be consistent with the goals. President Buck stated that one of the things is quickly taking shape are the OutREACH events. He informed the Board that OutREACH stands for Regional Ethics and Civility Hours. The goal is to host a mini annual meeting to lawyers that typically would not attend an annual meeting. The first three events will be held in Brewton at Coastal Community College on November 8; Beville State Community

College in Jasper on November 15; and Northeast Alabama Community College in Rainsville on November 30. The events will include 5 hours of CLE programming to include Civility and Ethics, Artificial Intelligence in the Legal Profession, and a Bench and Bar Local Leadership Lunch Hour presentation. Alabama State Bar programs will also be available to share how we can help lawyers in their practice through our programming and assistance.

President Buck indicated to the Board that AI will be impactful on the legal profession. He shared that the ABA has an AI Task Force and that we are studying and gathering information. He announced that Alabama State Bar Practice Management Adviser, Chris Colee, is putting together programming to share with the members about AI.

President Buck also mentioned the Bar Leadership Summit is being planned for January 18, 2024. He stated each practice area group and local bar will be invited to send a representative. Buck said the event would be held in conjunction with the Judges Mid-Winter Conference and our Board of Bar Commissioners meeting. He also stated that the Women's Section will be celebrating their 25<sup>th</sup> anniversary with special events being offered the day before and in the evening. President Buck indicated the agenda is still being finalized, but he is excited about the opportunity to bring bar leadership from across the state together to discuss and collaborate on issues relevant to our work for the betterment of all our member organizations. President Buck concluded by sharing the Justice for All Task Force is working hard and submitted a grant application in collaboration with the Alabama Law Foundation. He thanked Vice President Felicia Long and Executive Council member Josh Hayes for their leadership on the task force work to gather information and for developing a plan to push out the Justice for All QR codes and resource website.

President Buck concluded by sharing about his experience with President-elect Tom Perry and Executive Director Terri Lovell at the Southern Conference of Bar Presidents meeting in West Virginia. He stated that it was a great opportunity to reconnect with leadership from other bars and make some new connections as well as provide valuable information about bar issues that are being faced by all state bar regulatory entities and bar associations.

## **7. EXECUTIVE DIRECTOR'S REPORT**

Secretary/Executive Director Terri Lovell focused her report on the strategic plan and started with the July Bar exam statistics: She shared that the results were released on September 29 with an overall 53.83% passage rate. The results respectively for each law school included Alabama at 91.3%, Cumberland at 76.42%; Jones at 59.46%; Birmingham School of Law at 9.3%; and Miles Law School at 3.45%. She reminded the Board that *Goal 1: Serve and protect the public by maintaining and advancing the highest standards in the legal profession.* She informed the Board that since the last meeting priority focus had been placed on the NextGen Bar exam. She shared that the Court had been engaged with the Board of Bar Examiners and that a meeting is scheduled for November 3 where the Court will meet with representatives from the

National Conference of Bar Examiners (NCBE), the law schools, the Board of Bar Examiners, and ASB representatives about the future of the bar exam. She reported that Chief Justice Tom Parker has been actively engaged with other Supreme Courts across the country encouraging the NCBE to include family law and wills and trusts back on the NextGen, and that earlier in the week the NCBE announced that family law will now be included, and that the expiration of the current Uniform Bar Exam will be extended to February 2028.

Lovell explained that implementation of the new membership database portal is progressing. As of the time of the meeting, over 14,900 lawyers of our 19,500 + having created their new profile page. She thanked the board members who had shared concerns about bar cards or technical difficulties so the staff could address in a timely manner. She announced that the electronic bar card had been reformatted in size and with the seal of Alabama. Every entity from courthouses to jails that required identification admittance by ASB bar card had been identified and informed of the changes. Follow-up calls and emails have been made to each facility where access issues have been raised. The online CLE platform has been delayed by the implementation vendor; however, she stated that the staff is hopeful that we will be online in November with new content.

Lovell stated that the department heads recently submitted their first quarter reviews and that she was excited about their energy and buy-in on the strategic plan. She thanked Linda Lund, director of the Volunteer Lawyers Program, her staff, and the many lawyer volunteers for a tremendous month of outreach that align with *Goal 2: improve access to justice for all Alabamians*. She went on to thank the Programs and Communications departments for their work to prepare for the OutREACH CLE, the Bar Leadership Summit, Leadership Forum Class 18, the new Law School Newsletter, and many more exciting activities that aligned with *Goal 3: Establish the Alabama State Bar as the leadership hub for the legal profession*. Finally, Lovell mentioned the work encompassed around *Goal 4: Promote and support the overall health and well-being of our members*. She stated that Chris Colee from Law Practice Management, Jeremy Rakes with ALAP and Roman Shaul and the OGC staff are traveling all over the state for end of the year CLEs.

She informed the Board that the staff had selected the Cancer Wellness Center as their recent service project in honor of building supervisor Matt Mara, who continues to undergo chemotherapy and radiation in Houston, Texas.

## **8. GENERAL COUNSEL'S REPORT**

General Counsel Roman Shaul gave the Board an update related to a disciplinary security concern. He informed the Board that the staff is always on alert and understands that risks are associated with their job. Shaul also informed the Court that the lawsuit by a former employee against the former director and the bar had been dismissed. The OGC have 32 CLEs planned for the next 42 business days and will likely add more. He announced that he had hired Tracy Sellman as a paralegal for OGC counsel Mark

Moody. Tracy is the former grand jury coordinator for the Montgomery County District Attorney. Shaul stated that the OGC office has several hearings and three disciplinary trials set before the end of the year. He also stated that he is extensively looking at all rules and asked for the Board to notify him if they identify a problem.

## **9. DIRECTOR OF FINANCE REPORT**

Director of Finance Merinda Hall informed the Board that FY 2023 closed with a surplus of \$382,0000 in the appropriated funds, down by 52% from last year's reported financials. Revenues increased by 1.3% year over year, namely in membership and the MCLE fees. Expenditures increased nearly 9% over the last year, largely due to the increase in personnel costs by adding a few senior staff positions over the past eighteen months and the 5% pay increase approved for all staff in the FY2023 budget year. Investment balances increased 15% over the year through a combination of market gains and the transfer of surplus reserves totaling \$900,000.

## **10. DIRECTOR OF OPERATIONS REPORT**

Director of Operations Chad Coker informed the Board that the ASB building would be closed and that the staff would be working remotely on November 9 in order for Alabama Power to relocate a transformer. Electrical, plumbing, and HVAC maintenance have continued under a new service provider following the issues in the spring and early fall.

## **11. EXECUTIVE COUNCIL REPORTS**

Vice President Felicia Long shared the Executive Council report. She reported that there have been two meetings of the Executive Council since the September 5<sup>th</sup> BBC meeting. She informed the Board the members get updates on activities that have occurred between our BBC meetings. Long stated that the main objective is to take a deeper dive into what we are covering at the BBC meetings, to ask questions, and to determine what information needs to be provided to the Board. She said the second objective is to ensure that the agenda is ready for you to review. Long stated that the meetings are noticed, and minutes are posted. She encouraged the Board to please inquire if they had questions as to what the EC is doing, talking about, or if there is anything the EC needs to review. Long closed by sharing that the EC shared lunch at the new Montgomery Whitewater Park and encouraged the members to visit the facility.

## **12. MEMBER BENEFITS COMMITTEE REPORT**

Board member and chair of the Member Benefits Committee, Holly Sawyer, encouraged the Board to know and to use their member benefits. Sawyer provided a summary of recent provider services that have been approved.

**13. ALABAMA LAWYERS HALL OF FAME CLASS OF 2023 SELECTIONS**

Executive Director Lovell submitted the Alabama Lawyers Hall of Fame Committee Class of 2023 inductees as John Williams Walker, Ralph Irving Knowles, Jr., Thomas L. Jones, J.L. Chestnut, and Albert P. Brewer

COMMISSIONER CLINT MAZE MADE A MOTION TO APPROVE THE ALABAMA LAWYERS HALL OF FAME COMMITTEE SELECTIONS AS JOHN WILLIAMS WALKER, RALPH IVING KNOWLES, JR., THOMAS L. JONES, J.L. CHESTNUT, AND ALBERT P. BREWER, THE MOTION WAS SECONDED BY MARK DEBRO, AND APPROVED BY UNANIMOUS VOICE VOTE.

Lovell announced that the inductees will be honored on May 3, 2024, at the Heflin-Torbert Judicial Building.

**14. LEGAL SERVICES BOARD APPOINTMENTS**

President Buck reported that there is a vacancy on the Legal Services of Alabama Board. The LSA Board has recommended the appointment of former commissioner Allison Skinner to fill the terms of previous ASB appointee Richard Dorman. The appointments will be an agenda action item for the January 19, 2024, board meeting. Nominations will remain open and may be submitted to [terri.lovell@alabar.org](mailto:terri.lovell@alabar.org) on or before January 17, 2024.

**15. PROPOSED CHANGE TO RULE II, ALABAMA RULES GOVERNING ADMISSION TO THE ALABAMA STATE BAR**

General Counsel Roman Shaul explained that the proposed rule change will require admittees who have successfully passed the Alabama Bar Exam to complete the Alabama Online Course within 60 days of admission or be subjected to an assessment equivalent to the cost of an annual license. The proposed Rule change will be an action item at the January 19, 2024, board meeting.

**16. APPROVAL OF FY 2025 BUDGET**

Finance Director Merinda Hall presented the recommendation of the Finance and Audit Committee to approve the FY 2025 Budget at \$7.073 million, a 2.5% increase over the FY 2024 budget approved for FY 2024.

COMMISSIONER PRATT AUSTIN-TRUCKS MOVED TO APPROVE THE FY 2025 BUDGET AT \$7.073 MILLION, SECONDED BY FREDDIE RUBIO, AND APPROVED BY UNANIMOUS VOICE VOTE.

**17. APPOINTMENTS OF THE DISCIPLINARY BOARD**

RAYMOND BELL, ANDREW STANLEY, DANA GRIMES, AND JOHN STAMPS WERE RE-ELECTED TO THE DISCIPLINARY BOARD BY ROLL CALL VOTE. WILL LEE AND BOBBY POUNDSTONE WERE ELECTED AS NEW MEMBERS TO THE DISCIPLINARY BOARD BY ROLL CALL VOTE.

**18. PROPOSED CHANGE TO MCLE RULE 2.C.2**

Within this rule, certain individuals are exempted from the requirement to obtain 12 hours of CLE credit each year. The proposed rule change to MCLE Rule 2.C.2 clarifies the interpretation of the rule wherein attorneys serving as hearing officers, administrative law judges, arbitrators, United States Attorney, assistant or deputy assistant United States attorneys; assistant or deputy attorneys general; and District Attorneys, assistant or deputy district attorneys; and public defenders are not exempt from this requirement and will be required to obtain the 12 hours of CLE each year effective January 1, 2024.

COMMISSIONER MARK DEBRO MOVED TO AMEND THE CHANGE TO ADD U.S. ATTORNEYS TO THE RULE CHANGE, SECONDED BY FREDDIE RUBIO, AND APPROVED BY UNANIMOUS VOICE VOTE.

COMMISSIONER JEROME THOMPSON MOVED TO APPROVE THE MCLE RULE CHANGE, SECONDED BY DON MANSEL, AND APPROVED BY UNANIMOUS VOICE VOTE.

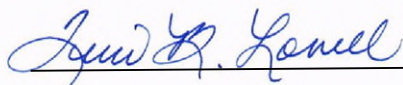
**19. ADJOURNMENT**

President Buck asked if there was any further business to come before the commission. There being no further business, he announced that the meeting was adjourned at 11:33 a.m.



Brannon J. Buck, President  
Alabama State Bar

ATTEST:



Terri B. Lovell, Secretary  
Alabama State Bar